IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Stoughton et al.

Serial No .:

09/038,894

Filed:

March 11, 1998

For:

METHODS OF DIAGNOSIS AND

TRIAGE USING CELL

**ACTIVATION MEASURES** 

Art Unit:

1651

Examiner:

Meller, M.

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TRANSMITTAL LETTER

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Responsive to the request for substitute specification in the Office Action mailed March 20, 2000, and noted to arrive under separate cover in the Response mailed September 20, 2000, transmitted herewith are a Statement pursuant to 37 C.F.R. § 1.125(b), a Substitute Specification, the amended marked-up copy of the specification, hand corrected pages of the original specification, and a return post card.

The hand corrected pages (no. 25, 76, 102, 111) of the specification enclosed herewith contain only the corrections not included in the Preliminary Amendment filed on November 1, 1999.

The amended marked-up copy of the specification contains all corrections requested in the Preliminary Amendment filed November 1, 1999, and the new corrections as shown in the hand annotated pages. The specification is amended by underlining the matter added and by placing square brackets around the deleted matter.

The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

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U.S.S.N. 09/038,894 Stoughton Transmittal of Substitute Specification

Respectfully submitted, HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:

Stephanie L. Seidman Registration No 33,779

Dated: October 26, 2000

Attorney Docket No.: 24730-2202

Applicant Reference No.: TSRI Case 679.0/TSR 0298P

Address all correspondence to: Stephanie Seidman, Esq.

HELLER, EHRMAN, WHITE & McAULIFFE LLP

4250 Executive Square, 7th Floor La Jolla, California 92037-9103 Telephone: (858) 450-8400 Facsimile: (858) 587-5360

EMAIL: sseidman@hewm.com

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STATEMENT FOR THE REQUEST OF SUBSTITUTE SPECIFICATION IN ACCORDANCE WITH 37 C.F.R. § 1.125(b)

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

- 1) This Statement is being made for the Substitute Specification accompanying this Statement.
- 2) I, Stephanie Seidman, certify that the corrections made to the specification do not contain new matter.
- 3) The person making this Statement is an attorney of record in the above-captioned application and signs below on the basis of information in the attorney's file.

Respectfully submitted,

HELLER EHRMAN WHITE & MCAULIFFE LLP

By:

Stephanie L. Seidman Registration No. 33,779

Dated: October 26, 2000

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Address all correspondence to:

Stephanie Seidman, Esq.

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## SUBSTITUTE SPECIFICATION